

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.418 OF 2022

ADINATH @ BHUJANG S/O SUDHAKAR GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. S. J. Salunke, Advocate for applicant.

Mr. S. B. Narwade, APP for the respondent – State.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26.04.2022

ORDER :-

. The applicant has been arrested on 24.09.2021 in connection with Crime No.197 of 2021 by Dinrud Police Station, Dist. Beed for the offences punishable under Sections 307, 365, 342, 120-B, 323, 504, 506 read with Section 34 of Indian Penal Code.

2. Heard learned Advocate Mr. S. J. Salunke for the applicant and learned APP Mr. S. B. Narwade for the respondent – State. In order to cut short, it can be said that both of them have made submissions in support of their respective contentions.

3. Perusal of the FIR would show that it has been lodged by one Bhimrao Nivrutti Gaikwad against the present applicant and certain unknown persons. It has been stated that one Krushna was assaulted by present applicant. Krushna was taken by the present applicant under the guise that they want to attend a birthday function at about 8.30 p.m. on 21.09.2021. He was then put in a gunny bag by the present applicant along with his three friends. They had taken him to *Ghat* of Sonimoha to Dharur road and by asking him to get down, they had assaulted him by kicks, fists and stone. The blows were given on his face and head. Thereafter, they had poured petrol on his person and ignited it. His face and neck got burn injuries. He thereafter fell unconscious and regained his consciousness in a cattle shed of a vasti. Those persons then contacted the informant and, thereafter, he was then taken to Government Hospital, Ambajogai.

4. It is to be noted that the age of the victim is 19 years. It appears that the charge-sheet is also filed and only four pages of the charge-sheet are made available to this Court. Though it is stated that the copy of the charge-sheet is annexed, it is only the copy of Exhibit-1. Why the learned Advocate appearing for the applicant has not made available the entire bunch is a question. The submissions on behalf of the applicant cannot be appreciated and only on the basis of the FIR and the fact that

the main role has been played by the present applicant, this is not a fit case where the applicant should be allowed to be released on bail under Section 439 of the Code of Criminal Procedure. The application, therefore, stands rejected.

[SMT. VIBHA KANKANWADI, J.]

scm